



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

HL

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/895,141 | 06/29/2001 | Seymour Benzer | 30431.3US01 | 8276 |
| 26941 | 7590 | 10/07/2004 | EXAMINER | |
| MANDEL & ADRIANO 55 SOUTH LAKE AVENUE SUITE 710 PASADENA, CA 91101 | | | SPIVACK, PHYLLIS G | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1614 | |

DATE MAILED: 10/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
|---------------------------------|-------------|---|---------------------|

EXAMINER

ART UNIT PAPER

100404

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The Amendment filed on April 19, 2004 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). There are no remaining claims that are not readable on the elected invention. Newly submitted claims 33-43, drawn to methods for extending the life span of an organism comprising administering an inhibitor of histone deacetylase to increase activity of at least one gene encoding a protein selected from superoxide dismutase, cytochrome P450 or glutathione S transferase, are directed to an invention that is independent or distinct from the invention originally claimed. The new subject matter requires further search and consideration.

Since the above-mentioned Amendment appears to be a bona fide attempt to reply, Applicants are given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Any inquiry concerning this communication should be directed to Phyllis Spivack at telephone number 571-272-0585.

October 4, 2004

Phyllis Spivack
Primary Examiner
Art Unit 1614

PHYLIS SPIVACK
PRIMARY EXAMINER